

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – MARCH 6, 2012**

The meeting was called to order at 9:00 A.M. with Commissioners Kasian and Thompson in attendance. Commissioner Arthaud joined the meeting at 1:30 P.M.

Others present during portions of the meeting were: Cody Eaton; Stacey Swanson; Craig Kubas; Jeremy Wood; Ray Karras; Vickie Karras; Roy Krivoruchka; Jason Kastrow; Dave Jurgens; Jay Brovold; Stacey Swanson; Joe Kessel; Jason Hicks; Randy Schwartz; Wayne Wilson; Nick McGregor; Greg Griffin; Mike Tona; Jeff Iverson; Jeremy Lyons; Pat Rummel

Kasian moved to approve the minutes from the February 7, 2012 special meeting and the February 8, 2012 regular meeting. Thompson seconded. All voted aye.

The board reviewed a raffle permit submitted by North Dakota Fur Takers. Kasian moved to approve the permit. Thompson seconded. All voted aye.

Cody Eaton met with the board concerning their beer and liquor license applications for Club 85. Ray & Vickie Karras stated that they would relinquish their current license for the site. Kasian moved to approve the cancellation of the current license. Thompson seconded. All voted aye. Thompson then moved to approve issuance of a new license to Cody Eaton. Kasian seconded. All voted aye. Ray and Vickie Karras requested a reimbursement for the remainder of their unused license. Upon conferment with State's Attorney Brovold, Thompson moved to reimburse them for 10 months. Kasian seconded. All voted aye.

Tax Director Stacey Swanson presented the board with the new application for a conditional use permit to mine scoria, gravel, sand, rock, or clay.

The board reviewed zoning requests that had been addressed by the zoning board at their March 1, 2012 meeting as follows:

Scott Schneider applied to re-zone approximately 44.97 acres of Lot 7 in section 6-141-101 from agricultural to recreational. He also submitted an application for a conditional use permit to construct four guest cabins on the site. The zoning board approved the requests. Thompson moved to uphold the zoning board recommendations conditional upon approval by SW District Health Unit that the water and sewer systems meet their specifications. Kasian seconded. All voted aye.

Allan and Lori Marx resubmitted an application to build a detached garage at 1410 Hwy 85. The permit granted in 2010 expired. The new permit is for the same original plan. The zoning board approved the permit. Thompson moved to uphold the zoning board recommendation. Kasian seconded. All voted aye.

In 2010 Bridger Pipeline applied to re-zone 15 acres for the Skunk Hill Station in the NE1/4 16-141-98. The original site plan had two tanks outlined. They were given a permit for the first tank and this new permit is for the second tank. The zoning board approved the request. Kasian moved to uphold the zoning board recommendation. Thompson seconded. All voted aye.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Perry Tescher – Section 18-139-102 along West River Road
- Continental Resources, Inc. – Section 24-141-101 along Franks Creek Road
- Continental Resources – Section 33-142-98 along 23<sup>rd</sup> St SW

The board received a letter from the North Dakota Court Administrator inquiring whether the county would enter into a funding agreement for the 2013-2015 biennium to receive reimbursement for providing clerk services. Kasian moved to approve the agreement. Thompson seconded. All voted aye. Donna Adams drafted a letter of response indicating that the county did wish to enter into the agreement.

The bid award for the sale of the #3 fuel tank advertised for bids at the February 7, 2012 special meeting was terminated due to an error in advertising the size of the tank. The tank will be re-advertised and bids opened at 10:00 A.M. on April 3, 2012 at the Billings County Courthouse.

Craig Kubas with Kadrmas, Lee, & Jackson met with the board for the monthly engineer's report. The bids for Wannagan Creek Road project number CP-04(08)01 were opened. Kasian moved to accept the lowest bid conditional upon the engineer's review of the tabulations. Thompson seconded. All voted aye. The cost of this project is to be split between the three districts, with 3<sup>rd</sup> district being credited for providing the gravel.

Craig Kubas and Jeff Iverson attended the bid opening for the Highway 10 Improvement project that was held in Stark County. Billings County's share of the project was bid at \$2,743,000.08. \$1,200,000.00 of that will be

covered with the oil impact grant. Thompson moved to approve and accept the bid. Kasian seconded. All voted aye.

A Partial Termination of Easement for portions of Wannagan North Road located in Section 4-141-102 and Section 33-142-102 was received from the Forest Service. The letter indicated that this portion of road has since been realigned, and is currently covered under a new easement issued to Billings County granted on February 2, 2012. State’s Attorney Brovold advised not releasing the existing easement until the new road was built. The board tabled the request until the road is built.

The board recessed from 12:20 to 1:00 P.M.

Jeremy Woods with TooZ Construction was present for the opening of the concrete replacement bids for the 1<sup>st</sup> District shop. One bid was received in the Billings County Auditor’s Office prior to 1 P.M. as advertised. One bid was received after 1 P.M. and was not opened. Thompson moved to accept the TooZ Construction bid. Kasian seconded. All voted aye.

Pat Rummel and Jeff Iverson discussed purchasing pumps for emergency purposes. Emergency funds cannot be used for this purpose. They inquired whether the board would consider buying them from another fund. They are approximately \$40,000 each. Arthaud moved to purchase one with general funds. Thompson seconded. All voted aye.

A Private Road Special Use Permit (Permit ID#: D7-12-02-01 was received from the Forest Service. The permit is for 3,772.18 feet of National Forest System Road (NFSR) #745-5 located in Section 12-139-103 Golden Valley County. The road would access a scoria pit on private land in Section 7-139-102 in Billings County.

The board discussed the generator the school purchased with L.U. Funds the county gave them for the purchase. The L.U. funds are federal funds to be used only for roads and schools. It is the board’s understanding that at the last school board meeting they decided to sell it back to the county for \$10 and keep the trailer. However, the county has received no official notification of this from the school. The board directed the auditor to contact the school and find out. If that is the case, Kasian moved to utilize the generator in 3<sup>rd</sup> district road and bridge. Thompson seconded. All voted aye.

The board approved the revenue vouchers for the month of February: Recorder \$24,627.68; Zoning \$650.00; Court \$104.00; Sheriff \$1,550.00

Revenues for materials and/or services rendered in February: Jim Oderrmann \$1,062.18 culvert & scoria; Ambulance Services \$2,245.32; Kasey Malkowski \$658.35 gravel & scoria; Medora Grazing Association \$1,185.13 weed chemical & used chair; Stark County \$15,316.85 paramedic expenses; City of Medora \$76,940.09 ambulance expense reimbursement, tax assessor reimbursement, shop site rental; City of Belfield \$15,316.84 paramedic expenses; Jeff Iverson \$2,100.00 two used fuel tanks; Heidi Uecker \$100.00 trucking; Robert Chruszch \$150.00 use of tractor/mower; Merrifield Creek Ranch \$412.50 mowing/blading; Myron Polensky \$75.00 trucking

Revenues for the month of February: FEMA \$1,690.17; Department of Transportation \$2,419.68 sheriff’s office grant; Financial Institution Tax \$3,032.79; Keith Kuntz \$165.07 weed spraying; Highway Tax \$13,443.94; Oil & Gas Distribution Tax \$142,667.91; Interest \$4,056.21; Royalties \$66,904.91; Permits \$12,880.00; Royalties \$72,904.91

The following claims were approved for payment:

Advanced Business Methods	Recorder – Copier Contracts	001951	\$	2,170.20	
Alternative Sanitation	Garbage Removal	001952	\$	165.00	1, 2, 3
American Welding & Gas	Welding Supplies	001953	\$	235.11	2
Ameripride Linen Service	Mat Rental	001954	\$	83.10	2, 3
AREng Heating & Air Conditioning	Install Shop Vent Ducts	001955	\$	400.00	3
A T & T Mobility	Cellular Service	001956	\$	71.49	1
Billings County Rural Fire District	Taxes	001957	\$	26,465.48	
Billings County Historical Society	Taxes	001958	\$	1,632.24	
Billings County Pioneer	Publishing	001959	\$	1,097.30	1, 2, 3, G
Billings County School District	Taxes	001960	\$	220,700.37	
Billings County School District	Generator	001961	\$	10.00	3
Belfield Sportsmen Club	S. O. – Membership Dues	001962	\$	140.00	
Belfield Automotive Supply, Inc.	Parts & Supplies	001963	\$	989.63	2, 3, G
Best Energy	Propane	001964	\$	3,336.00	3, G
Bismarck Tribune	Subscription	001965	\$	265.00	
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	001966	\$	2,386.80	1, 2, 3, W, G
Boespflug Trailers & Feed	Parts & Supplies	001967	\$	106.33	2
Booke, Travis	Ambulance – Training Expenses	001968	\$	219.00	
Bound Tree Medical, LLC	Ambulance – Medical Supplies	001969	\$	753.21	
Braun Intertec	Engineering	001970	\$	11,851.00	3
Brooks & Associates, C. E.	Land Use Plan	001971	\$	1,360.96	
Butler Machinery Co.	Parts & Supplies	001972	\$	3,877.20	1, 2, 3
Carquest Auto Parts	Parts & Supplies	001973	\$	60.38	1
Cash, Kathy	Deputy Auditor – Election Training	001974	\$	193.02	
Cass County Treasurer	Document Preservation Fund	001975	\$	286.00	

Challenger Industries, Inc.	Parts & Supplies	001976	\$	113.23	3
Channing Bete Co.	Ambulance – C.R.P. Equipment	001977	\$	454.53	
Comfort Inn – Bismarck	Tax Director – Travel Expenses	001978	\$	138.00	
Creative Energy	Fuel & Shop Supplies	001979	\$	98.29	2, 3
Dakota Farm Equipment, Inc.	Parts & Supplies	001980	\$	1,577.30	1, 3
Dakota Filter Supply	Parts & Supplies	001981	\$	171.15	1
Dakota Insurance	Property Insurance	001982	\$	129.00	2, G
Dakota Water Treatment	Water System Rental	001983	\$	25.00	1
Dan’s Interstate Conoco	S. O. – Gas	001984	\$	258.40	
Deans Distributing	250 Gallon Tank & Bulk Oil	001985	\$	4,323.42	3
DF Lighting Company	Courthouse – Maintenance Supplies	001986	\$	242.75	
Dickinson Parks & Recreation	Wellness Program	001987	\$	200.00	
Dickinson Public Library	Library Services	001988	\$	3,476.38	
Dickinson Tire	Ambulance – Tires	001989	\$	1,483.86	
Emergency Medical Products, Inc.	Ambulance – Medical Supplies	001990	\$	233.03	
Feland Inc., Clint	Sanders	001991	\$	4,500.00	3
Fisher Industries	Gravel Crushing	001992	\$	101,703.87	3
Four Corners Cafe	Ambulance – Training	001993	\$	236.00	
General Equipment & Supplies	Terex Repair	001994	\$	682.23	1, 2, 3
George’s Tire, Ltd.	Tires & Repair	001995	\$	2,285.00	1, 2
Gilseth, Mitchel	Ambulance – Travel Expense	001996	\$	219.00	
Golden Valley County	Social Services	001997	\$	7,671.56	
Great Plains Directory Service	Plat Books	001998	\$	857.50	1, 2, 3, W, G
Hedahls Auto Plus	Parts & Supplies	001999	\$	187.67	1
Heiser Electric, Don	Fuel Pump Repair	002000	\$	100.00	3
Heiser, Don	Zoning Meetings – Mileage	002001	\$	61.32	
Hobbs, Inc.	Tank Gauge	002002	\$	68.22	2
Interstate Power Systems	Terex Parts	002003	\$	917.60	1, 2, 3
J P Steel & Supply	Iron Supplies	002004	\$	576.58	1
Jurgens, Joan	Auditor – Election Training	002005	\$	39.00	
Kadrmass, Lee, & Jackson, Inc.	Engineering	002006	\$	7,299.21	1
Karras, Ray & Vickie	Liquor License Reimbursement	002007	\$	333.30	
Kasian, Connie	Zoning Meeting – Mileage	002008	\$	75.60	
Kasian, Michael E.	Commissioner – Mileage	002009	\$	95.88	2
Kessel, Anita	Zoning Meeting – Mileage	002010	\$	85.80	
Klang, Keri	Ambulance – Training Expense	002011	\$	219.00	
Kohler Communications	Building Booster	002012	\$	529.00	1
LBT, Inc.	1971 Butler Trailer	002013	\$	12,200.00	3
Mac’s, Inc.	Shop Supplies	002014	\$	277.39	1, 3
Medora, City of...	Taxes	002015	\$	19,825.63	
Metro-Billing Services	Ambulance – Runs	002016	\$	34.00	
Midstate Telephone Company	911 Changes	002017	\$	6.00	
Midstate Telephone Company	Courthouse – Telephone Service	002018	\$	948.23	
Motorola Solutions	Radio Expense	002019	\$	2,696.62	
Missouri Valley Petroleum, Inc.	Gas, Oil, & Diesel	002020	\$	32,930.61	2, 3, G
N.D. Association of Counties	D & A Testing Annual Fees	002021	\$	779.10	1, 2, 3, W
N.D. Association of Counties	Taxes	002022	\$	112.10	
N.D. Association of Counties	D & A Testing	002023	\$	106.00	2
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	002024	\$	200.00	
N.D.P.E.R.S.	Health Insurance Premium	002025	\$	34,825.94	1, 2, 3, W, G
N.D. State Treasurer	Clerk of Court Fees	002026	\$	3,972.20	
N.D. Surplus Property	D.E.M. – Blankets	002027	\$	120.00	
N.D.A.C.O. Directory Sales	Recorder – County Directories	002028	\$	60.00	
N.D.S.U. – Golden Valley Extension	Weed – Beef Day Sponsorship	002029	\$	50.00	
Nelson International	Parts & Supplies	002030	\$	1,945.93	1, 2
Newby’s Ace Hardware	Supplies	002031	\$	422.74	
Newman Signs	Road Signs	002032	\$	716.46	1
NW Tire	Tires & Alignment	002033	\$	1,127.98	1, 3
O’Brien, Marcia	Deputy Tax Director – Travel Expense	002034	\$	174.84	
Off Road Software, Inc.	Off Road GIS Software	002035	\$	1,400.00	
Performance Truck Center	Parts & Repairs	002036	\$	1,851.17	2
Pizza Ranch	Ambulance – Training	002037	\$	83.97	
Prairie Insulation & Improvements	Weed – Shop Insulation	002038	\$	2,768.85	
Prairie Lumber Company	Weed & Ambulance – Construction	002039	\$	5,377.25	
Praxair	Shop Supplies	002040	\$	94.25	1
Probuild	Shop Supplies	002041	\$	22.15	3
Pump Systems, Inc.	Parts & Supplies	002042	\$	41.31	1, 3
Queen City Upholstery	Courthouse – Maintenance	002043	\$	207.25	
Ray’s Auto Electric	Batteries	002044	\$	359.85	1
RDO Equipment Co.	Parts & Supplies	002045	\$	587.72	2
Reiter Welding, Inc.	Shop Expense	002046	\$	4,411.00	3
Respond Systems	Courthouse – Maintenance Supplies	002047	\$	143.93	
Rockmount Research & Alloys	Shop Supplies	002048	\$	445.50	2
Roosevelt-Custer Regional Council	Mitigation Plan	002049	\$	1,755.55	
Roughrider Electric Cooperative	Electricity	002050	\$	2,739.70	1, 2, 3, W, G
Rudy’s Lock & Key	Keys, Key Rack, & Doorlocks	002051	\$	64.98	2, 3
Runnings Farm & Fleet, Inc.	Parts & Supplies	002052	\$	1,074.71	1, 3
Southwest Business Machines	Office Supplies	002053	\$	857.02	
Smart Computers & Consulting	Computer Technical Support	002054	\$	45.00	
Steffan Saw & Bike	Parts & Supplies	002055	\$	68.57	1, 3
Stein’s, Inc.	Courthouse – Maintenance Supplies	002056	\$	183.10	
Superior Lamp, Inc.	Lighting Supplies	002057	\$	49.32	1
SuperPumper	S. O. – Gas	002058	\$	205.00	
Southwestern District Health Unit	Taxes	002059	\$	14,255.61	
Southwest Multi-Co. Correction Ctr.	Prisoner Care	002060	\$	910.00	
Southwest Water Authority	Taxes	002061	\$	3,937.20	
Southwest Water Authority	Water Usage	002062	\$	324.12	1, 2, 3
Southwest Wireless	Radio Expense	002063	\$	24.99	3
Swanson, Stacey	Tax Director – Travel Expense	002064	\$	30.00	
Tczap, John	Zoning Meeting – Mileage	002065	\$	45.00	

Tom’s Service Center	Service, Tire Repair, & Gas	002066	\$	378.40	3, G
Total Safety US, Inc.	Safety Equipment	002067	\$	15.00	1
Tractor & Equipment	Parts & Repairs	002068	\$	1,489.76	1
Underground Vaults	Recorder – Microfilm Storage	002069	\$	3.00	
Universal, Inc.	Courthouse – Maintenance Supplies	002070	\$	194.14	
U.S.D.A. – Forest Service	Road Use Permit – Gravel Pit	002071	\$	84.76	3
Verizon Wireless	Cellular Service	002072	\$	1,018.59	2, 3, G
Vidacare Corporation	Ambulance – Medical Supplies	002073	\$	1,028.53	
Wal-Mart	Supplies	002074	\$	231.32	
Warne Chemical & Equipment Co.	Weed – Sprayer, etc.	002075	\$	3,842.10	
Westlie Truck Center	Parts & Supplies	002076	\$	3,070.41	1, 3
Wolf MD, Dennis E.	Coroner Expense	002077	\$	800.00	
American Family Life Assurance	Premium	002137	\$	933.60	
Century Link	Telephone Service	002138	\$	450.79	1, 2, 3, W, G
Consolidated	Internet Service & 911 Changes	002139	\$	239.71	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	002140	\$	83.00	
Discovery Benefits, Inc.	Premium	002141	\$	1,753.35	
Information Technology Dept.	S. O. – T-1 Line	002142	\$	453.25	
Medora, City of...	Courthouse – Utilities	002143	\$	196.64	
State Dispersement Unit	Garnishment	002144	\$	946.00	
N.D. Department of Transportation	License & Title 1971 Trailer	002145	\$	10.00	3
N.D.P.E.R.S.	Deferred Comp. Premium	002146	\$	5,514.00	
N.D.P.E.R.S	Retirement	002147	\$	17,475.11	1, 2, 3, W, G
Prudential	Deferred Comp.	002148	\$	28.58	
Reservation Telephone Cooperative	Telephone Service	002149	\$	61.06	1, 2, 3, G
Visa	Ambulance – Paramedic Refresher	002150	\$	2,682.83	1, 2, 3, G

Payroll in the following amounts were approved for February: General Fund \$94,413.53; Road and Bridge Fund \$88,156.23; Weed Fund \$4,369.78

With there being no further business, Kasian moved to adjourn the meeting 2:35 P.M. Thompson seconded.

James Arthaud, Chairman

Attest: \_\_\_\_\_

Joan Jurgens, Auditor/Treasurer